



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/731,267 | 12/06/2000 | Joseph C. Williams | 2172-000001 | 9054 |

7590 07/07/2004

Mark D. Elchuk
Harness Dickey & Pierce P.L.C.
P.O. Box 828
Bloomfield Hills, MI 48303

EXAMINER

WASYLCHAK, STEVEN R

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

3624

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/731,267

Applicant(s)

JOSEPH WILLIAMS

Examiner

Steven R. Wasylchak

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guheen et al.(US 6,615,166).

CLAIMS:

1. Guheen teaches a software system for organizing and monitoring a large amount of financial information pertaining to trading activities occurring on a financial market exchange, and presenting such information on a video display screen, comprising:

a header display region for displaying a header which a user desires to monitor financial information pertaining thereto; /col 83, L64-67; col 205, L1-40; col 208, L60-67. However, Guheen does not explicitly teach corresponding to at least one user defined company. Official notice is taken that this feature is old and well known in the finance art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of tracking one's own stock or a competitor's stock.

an auction participant region for displaying said financial information in real time in an easily viewable graphical format, said financial information relating to trading activities concerning said one user defined company by a plurality of user designated auction participants./col 204, L6-60; col 207, L2-59

2. The system of claim 1, wherein said financial information includes real time information presented in a graphical format on a current ask price, a current bid price, a current volume of shares available at said ask price, and a current volume of shares sought at said bid price, for each of said user selected auction participants./col 205, L1-27; col 206: Table 2 to col 207, L59

3. Guheen does not disclose wherein said auction participant region includes an inside market line designation for denoting a midpoint between highest one of said bid prices and a lowest one of said ask prices for said auction participants defined by said user. Official notice is taken that this midpoint feature is old and well known in the finance art as the 200 day or 50 day moving average. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of having a benchmark for selling one's stock when the price falls below the average.

4. The system of claim 1, further comprising a summary region capable of being displayed on said display concurrently with said header display region, for displaying a summary of financial information of the user selected company./ col 204, L6-60; col 206: Table 2 to col 207, L59

5. The system of claim 1, further comprising a recent trades region capable of being displayed on said display concurrently with said header display region, for displaying information concerning recently executed trades of financial instruments of said user selected company./ col 204, L6-60; col 207, L2-59

6. The system of claim 2, further comprising at least one display region arranged as a narrow elongated display for displaying in real time price and volume information on at least one of said ask and bid prices for financial instruments of the user selected company./ col 204, L6-60; col 207, L2-59

7. The system of claim 1, further comprising a price and volume activity region for displaying, in real time, price and volume information flowing directly from trading activities of all of the user designated auction participants, relative to the user selected company./ col 207, L2-59; col 211, L1-9

8. Guheen does not explicitly teach comprising an historical trading playback function and a user operated control panel for enabling a user to replay on the video display screen previously stored portions of auction participant activity which has occurred over a user defined time period, concerning a financial instrument of the user selected company.

Official notice is taken that this playback/replay feature is old and well known in the electronics art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this replay feature for the advantage of reviewing past performance under the prior auction economic conditions for further analysis.

9. Guheen does not explicitly teach wherein the user can fast forward said previously stored portions of said financial information on said video display screen via said control panel. Official notice is taken that this fast forward feature is old and well known in the electronics art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this fast forward feature for the advantage of having the capability of quickly returning to the real time mode.

10. The system of claim 1, further comprising a technical studies overlay display region for displaying market analysis graphs on a portion of said video display concerning the user selected stock./ col 83, L64-67; col 208, L60-67

11. The system of claim 1, further comprising at least one sort control for enabling said auction participants on said video display into a predetermined pattern on said video display in accordance with a predetermined criterion./ col 83, L64-67; col 206, L67 to col 207, L30; col 208, L60-67. However, Guheen does not explicitly teach sorting market activity. Official notice is taken that this sorting market activity feature is old and well known in the financial analysis art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this sorting market activity feature for the advantage of breaking down data for a more robust financial modeling analysis.

12. A software system for organizing and monitoring a large amount of financial information pertaining to financial instrument trading activities concerning a plurality of companies occurring on a financial exchange, and presenting such

Art Unit: 3624

information on a video display screen in an easily to view graphical format, the system comprising:

a header display region for displaying headers corresponding to a plurality of user defined companies which a user desires to monitor financial information pertaining thereto, said headers being selectable by said user to allow said user to monitor and review detailed information concerning financial instrument trading activities for the selected said company;/ refer to claim 1

Guheen does not explicitly teach a replay system including user actuatable controls for enabling said user to selectively re-display archived portions of said financial information on said video display. Official notice is taken that this replay /re-display feature is old and well known in the electronics art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this replay feature for the advantage of reviewing past performance under the prior auction economic conditions for a further analysis.

13. The system of claim 12, further comprising an auction participant display region for displaying real time information in a graphical format concerning bid prices and ask prices relating to said financial instruments, and volume information for each of said bid and ask prices, of a plurality of user designated auction participants engaged in financial instrument trading activities concerning said user selected company./refer to claim 2

14. The system of claim 13, wherein said ask and bid prices and said volume information of each of said user selected auction participants is presented in an elongated sub region adjacent one another for quick visual comparison./ col 83, L64-67

15. The system of claim 13, wherein said auction participant display region includes an inside market line designation for denoting a midpoint between a highest one of said bid prices and a lowest one of said ask prices for said auction participants defined by said user./ refer to claim 3

16. The system of claim 12, further comprising at least one sort control for enabling said user to sort market activity of said auction participants on said video display into a predetermined pattern on said video display in accordance with a predetermined criterion./col 206, col 67 to col 207, L40

17. Guheen does not explicitly teach wherein said auction participant region includes indicator cells assigned to each said auction participant which change color to denote trends in trading activities of each of said auction participants. Official notice is taken that this trend coloring feature is old and well known in the finance chart art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this trend coloring feature for the advantage of ease of following trends in financial charts during technical analysis.

18. The system of claim 12, further comprising a summary region capable of being displayed on said display concurrently with said header display region, for displaying a summary of said financial information pertaining to one of said user selected companies./col 206, L 7-65

19. The system of claim 12, further comprising a price and volume activity region for displaying, in real time, price and volume information flowing directly from trading activities of all of the user designated auction participants, relative to the user selected company./refer to claim 12

20. Guheen does not explicitly teach comprising a technical studies overlay display region for displaying market analysis graphs concerning the user selected financial instrument. Official notice is taken that this information overlay feature is old and well known in the software art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this information overlay feature for the advantage of ease of comparative analysis following trends in financial charts during technical analysis.

21. A software system for organizing and monitoring a large amount of financial information pertaining to financial instrument trading activities concerning a plurality of companies occurring on a financial exchange, and presenting such information on a video display screen in an easily viewable and comprehensible graphical format lending itself to quick visual interpretation by a user, said system comprising:

a header display region for displaying headers corresponding to a plurality of user defined companies which a user desires to monitor financial information pertaining thereto, said headers being selectable by said user to allow said user to monitor and review detailed information concerning financial instrument trading activities for the selected said company;/ col 83, L64-67; col 205, L1-40; col 208, L60-67.

an auction participant display region for displaying real time financial information concerning bid prices and ask prices,/ fig 18; col 206: L 40-65

volume information for each of said bid and ask prices, in an easy to interpret graphical format, of a plurality of user designated auction participants engaged in financial instrument trading activities concerning said user selected company;/ col 206, L 7-65

Guheen teaches allowing said user to said auction participants to organized and presented on said video display screen in accordance with a plurality of user defined criteria./ col 206, col 40 to col 207, L40. However, Guheen does not explicitly disclose sort control. Official notice is taken that this sort control activity feature is old and well known in the software art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this sort control feature for the advantage of breaking down data for a more robust financial modeling analysis.

22. The system of claim 21, further comprising a replay control displayed on said video display for allowing a user to replay archived portions of said financial information of selected ones of said user defined companies on said video display./refer to claim 12

23. The system of claim 22, wherein said auction participant region includes a plurality of indicator cells associated with each of said auction participants; and wherein said cells change color in response to activity of each of said auction participants./refer to claim 17

This action is **NON-FINAL**. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Wasylchak whose telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Thursday from 7:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art Unit 3624 is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Steven Wasylchak

6/24/04



VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600